

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

CARLOS WILLIAMS,

Plaintiff,

v.

LORI LAWSON, et al.,

Defendants.

CASE NO. C21-5536 MJP

ORDER ON PLAINTIFF'S
MOTION SEEKING ORDER OF
THE COURT FOR LAW
LIBRARIAN AND DEFENDANTS'
MOTIONS TO STRIKE

This matter comes before the Court on Plaintiff's Motion Seeking Order of the Court for Law Librarian, etc. (Dkt. No. 87) and Defendants' Motions to Strike (Dkt. Nos. 112, 113). Having reviewed the Motions, the Court GRANTS in part and DENIES in part Plaintiff's Motion and DENIES Defendants' Motions.

BACKGROUND

Plaintiff seeks an "order of the Court to demand the Defendants stop conspiring to deny [him] access to the Court and E-File documents." (Dkt. No. 87 at 1.) In support, Plaintiff declares that two officers, the "Spiece brothers," log legal mail and have apparently changed this

1 process. (Dkt. No. 88.) Plaintiff says that “since their change all incoming correspondence has
2 ceased” and that “Officer Hall, my nemesis, takes the logged legal mail from the Spiece
3 Brothers, opens them [and] fax[es] the contents to Assistant Attorney General Michelle
4 Hanson[.]” (Id. at 2.) But Plaintiff states that he is only “speculat[ing] concerning what and who
5 is receiving legal mail content once ‘OFF’ Hall opens them.” (Id.) Plaintiff has filed an
6 additional declaration dated February 22, 2023, in which he avers that he has been denied the
7 ability to have the law librarian, Miriam Kastle, e-file matters in this action. (Dkt. No. 89.)
8 Plaintiff states that he has been “forced to ‘snail mail’” various motions that “have been ready for
9 weeks.” (Id. at 2.) In a declaration dated March 13, 2023, Plaintiff filed a “Notice of Various
10 Obstacles Plaintiff is Facing to Litigate this Matter,” in which he identifies a variety of issues,
11 including, but not limited to, being given the wrong size clothing, denial of meals, tampering
12 with his legal mail, denial of legal calls, and other acts he believes are indicative of attempts to
13 murder him. (Dkt. No. 111.) And in an “Alert” dated March 14, 2023, Plaintiff avers that
14 “Defendants have ordered the law librarian . . . Kastle to cease all contact with the Plaintiff,” as
15 part of a plot to murder him. (Dkt. No. 106.)

16 In response, Defendants point out that since February 28, 2023, Plaintiff has filed twenty-
17 one separate documents with the Court, which they cite as evidence of his access to the Court.
18 (Dkt. No. 101 at 2.) Defendants have also provided a declaration from Kastle, explaining how
19 she assists inmates, including Plaintiff, with e-filing court documents. (Declaration of Miriam
20 Dominique Kastle (Dkt. No. 104).) Defendants have also provided a declaration from Melvin
21 Hopkins, one of the sergeants who manages the processing of mail arriving at Monroe
22 Corrections Complex, where Plaintiff remains incarcerated. (Declaration of Melvin Hopkins
23 (Dkt. No. 103).) Hopkins explains how legal mail is supposed to be handled and he disclaims
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1 knowledge of “any corrections officers I work with or supervise treating any incarcerated
 2 individuals with disrespect.” (*Id.* ¶ 6.) Lastly, Michelle Hansen, counsel for Defendants avers
 3 that she has “not conspired with and [is] not involved in any conspiracy with Ms. Kastle or
 4 anyone else to deny Mr. Williams access to the court in this case or any other case” or to “get
 5 away with ‘Attempted murder.’” (Declaration of Michelle Hansen ¶¶ 4-5 (Dkt. No. 102).)

6 Defendants move to strike Plaintiff’s reference to other lawsuits he has filed. (Defs. Resp.
 7 at 4 (Dkt. No. 101).) And Defendants have moved to strike Plaintiff’s Notice of Obstacles (Dkt.
 8 No. 111) and his Alert (Dkt. No. 106). (Motions to Strike (Dkt. Nos. 112, 113).)

9 ANALYSIS


10 The Court GRANTS in part and DENIES in part Plaintiff’s Motion. From what the Court
 11 can gather, Plaintiff may have been unable to file legal materials for some time before February
 12 28, 2023. The reasons are not clear from the record. It does appear that Plaintiff sought to file an
 13 opposition to his pro bono counsel’s withdrawal earlier than he was able to on February 28,
 14 2023. To the extent that this filing was untimely, the Court will accept his opposition as timely
 15 filed and to this limit extent GRANTS Plaintiff’s Motion. But for all other purposes, the Court
 16 DENIES the Motion. The Court does not find evidence that Plaintiff is currently unable to access
 17 the Courts. He has filed many motions, declarations, and briefs through the prison filing system
 18 and there is no evidence of any impediment to access the Court.

19 The Court DENIES Defendants’ two Motions to Strike. Defendants seek to have the
 20 Court strike two documents which Plaintiff filed in furtherance of his Motion. The Court
 21 construes Plaintiff’s filings as a reply and supporting declaration, and has considered them,
 22 particularly since they concern Plaintiff’s complaints about his access to the Court. Defendants
 23 offer no valid reason why the Court should strike these materials or what purpose striking them
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1 would serve. The Court DENIES the Motions. The Court separately notes that while the Court
2 appreciates Defendants' efforts to help clarify the docket, such assistance is unnecessary. The
3 Court remains capable of sorting through the docket without Defendants filing additional
4 motions.

5 The clerk is ordered to provide copies of this order to Plaintiff and all counsel.

6 Dated March 31, 2023.

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8 Marsha J. Pechman
9 United States Senior District Judge
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